

October 27, 2005

TO: County Personnel Policy Board Members

SUBJECT: Personnel Policy Board Meeting
Thursday, November 3, 2005
1:30 p.m., Commissioners Hearing Room
County-City Building, Room 112

A G E N D A

ITEM 1: Request for appeal hearing – Ed Kortefay — Youth Services Center.

ITEM 2: Election of Chair.

ITEM 3: Election of Vice-Chair.

ITEM 4: Miscellaneous Discussion.

pc: Ed Kortefay

Don Taute
Personnel Director
Lancaster County Personnel Department

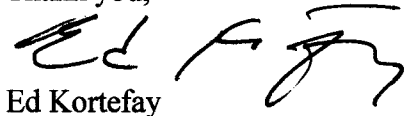
Dear Sir,

My name is Ed Kortefay. I have been employed by Lancaster County (Juvenile Detention Center) for over 25 years. Unfortunately, I recently received discipline in the form of two suspensions (9/18/05 and 10/2/05) related to errors in dispensing client medications.

I do not dispute my responsibility in these matters. However, I do wish to contest the manner in which discipline was applied. Specifically, I question the degree to which the Department Head considered mitigating factors. Please consider this case for the next Personnel Policy Board Meeting.

In the interim, is there any further information you need from me? I have reviewed the relevant Personnel Policy sections, yet I seek additional information on how an actual hearing is conducted. Can you supply me with this information?

Thank you,


Ed Kortefay
10/4/05

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**YOUTH
SERVICES
CENTER**

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PR
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Lincoln, NE 68512
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Dennis A. Banks, Director
Michelle Schindler, Deputy Director

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September 15, 2005

Ed Kortefay, Juvenile Detention Supervisor
2010 Park Ave.
Lincoln NE 68512

RE: NOTICE OF DISCIPLINARY ACTION

Mr. Kortefay:

The purpose of this letter is to notify you that I am suspending you for (1) day effective September 18, 2005 without pay for violating departmental regulations and policies in accordance with Lancaster County Personnel Rule 11.2(d) which states "A Departmental head may suspend an employee without pay for cause... you violated the Lancaster County Juvenile Detention Center Basic Medical Care policy 0700 Medical Services Post Order.

Administering Medications

1. **Distribute prescription medications as prescribed by the physician.**
 - a. **Facility medication times are as follows:**
 - 0700 - 0900
 - 1100 - 1300
 - 1600 - 1800
 - 2000 - 2200
4. **Make a positive identification of the resident BEFORE giving any medication. Ask the Housing Officer when necessary.**
5. **Review the MAR for the appropriate youth BEFORE administering the medication.**

This proposed disciplinary action is based on the following facts;

On August 31, 2005 approximately 0800 hours, you did fail to review the MAR sheet for a resident (RH). This failure resulted in said resident not receiving his Teraquin (500 mg) as prescribed by his physician.

Previous to this incident you received the following discipline:

1. A reprimand for an error on August 18, 2005. An order for ibuprofen was placed in the

med cart for resident (T C). The dose was 800mg to be taken every 8 hours as needed (PRN) for pain. You administered the medication on 8/18/2005 at 0800 and again at 1200. (4 hours). The medication was not to be given to him until 1600. The directions were clearly written on the MAR. You received a reprimand for this refusal from Ms. Thompson.

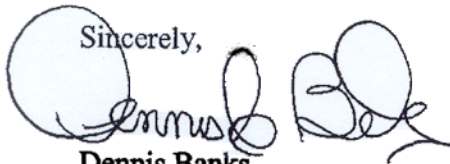
2. A reprimand On July 12, 2005. Birth control pills were placed in the Med cart and written on the MAR to be started on 7/17/2005. Mr. Kortefay dispensed them on 7/12/2005. The explanation that he gave to the nurse was that he had taken the medications out and dispensed them prior to reading the MAR.

3. A Reprimand for an error on November 2, 2004. Ed missed giving the medications for CK at 0800. The medications had been received and noted on a MAR in the medication log by the nurse the night before. The medications were in bottles instead of the bubble packs and were to be used until the medications could be sent by Omnicare.

During our September 15 preliminary hearing you admitted that on every occasion you failed to read the Medication Administration Record (MAR), which is accordance with agency policy.

You are expected to report to work on September, 19, 2005 for your regular schedule shift. So you understand, if you continue to have medication errors, you may face progressive discipline including suspension and/or termination.

Sincerely,



Dennis Banks
Director

CC: Employee File

Personnel Director, Don Taute

Deputy County Attorney, Tom Fox



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Dennis A. Banks, Director
Michelle Schindler, Deputy Director

September 30, 2005

Ed Kortefay
2010 Park Ave.
Lincoln, NE 68512

RE: Letter of Suspension

Dear Mr. Kortefay:

The purpose of this letter is to inform you that I am suspending you for a period of three (3) working days without pay pursuant to Lancaster County Personnel Rule 11.2(d), which states, "A Department Head may suspend an employee without pay for cause for a period or periods not exceeding thirty (30) working days . . ."

This suspension is based upon violations of the Lancaster County Personnel Rules and Lancaster County Youth Services Center Policies. It appears that the following rules, policies and provisions were violated:

- 1 Lancaster County Personnel Rule 11.2(h)(5), "The employee has violated any department, division, or institution regulation or order, or failed to obey any proper direction made and given by a supervisor."
- A. Lancaster County Juvenile Detention Center & Staff Secure Facility, Juvenile Detention Supervisor Post Order - Medical Services-Duty Supervisor (E)(1) and (2), "(1) Make a positive identification of the resident BEFORE giving any medication. Ask the Housing Officer when necessary. (2) Review the MAR BEFORE administering the medications."
- B. Lancaster County Juvenile Detention Center, Basic Medical Care Policy, Policy No 0700.2(C)(5), "Medical care shall consist of any treatment prescribed or directed by qualified medical personnel or any care which the Juvenile Detention Center staff are authorized by the agency physician to provide."
 - a. Staff shall administer medical care to the extent and scope of their training per Medical Standing Orders."

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2. Lancaster County Personnel Rule 11.2(h)(8), "The employee has been incompetent or inefficient in the performance of the duties of his position."

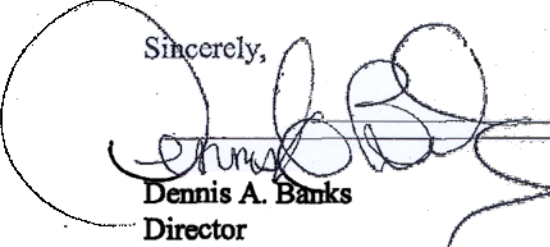
The facts that have been reported to me are as follows:

On September 19, 2005, youth JG was given one 500mg tablet of Amoxicillin instead of two 500mg tablets as ordered by the Physician and stated clearly on the MAR sheet. The result of this error was that the nurse had to call the prescribing physician to obtain permission to administer the last 500mg tablet on September 21, 2005 (the day after the last dose was administered).

In addition to the above incident, you received a one day suspension on September 15, 2005, for failing to distribute medication to youth according to policy, post orders, and the MAR sheet. You also received a written reprimands on August 22, 2005; July 13, 2005, and; November 9, 2004, for failing to distribute medication to youth according to policy, post orders and the MAR sheet.

We met on Thursday and Friday September 29-30, 2005 to discuss this disciplinary action. After meeting with you we still believe "just cause" exist for you to be suspended three days. Your suspension will begin on Sunday, October 2, 2005 and end on Tuesday October 4, 2005. You are expected to return to work at your regularly scheduled time on Wednesday, October 5, 2005.

Sincerely,



Dennis A. Banks
Director

cc: Employee file
Don Taute
Thomas Fox